United Nations A/59/212–S/2004/626

General Assembly
Security Council

Distr.: General
5 August 2004

Original: English

General Assembly
Fifty-ninth session
Item 59 of the provisional agenda*
Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe

Security Council
Fifty-ninth year

Identical letters dated 5 August 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the communiqué issued by the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 4 August 2004 regarding the military exercises conducted by the Armenian armed forces in the occupied territories of the Republic of Azerbaijan (see annex).

I should be grateful if the present letter and its annex were urgently distributed as a document of the General Assembly under item 59 of the provisional agenda of its fifty-ninth session, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

* A/59/150.

04-45194 (E) 090804 090804

Annex to the identical letters dated 5 August 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Russian]

Communiqué from the press service of the Ministry of Foreign Affairs of the Republic of Azerbaijan

The Ministry of Foreign Affairs views with deep concern the military training exercises being conducted by the Armenian armed forces in the occupied territories of the Republic of Azerbaijan.

The attempts by the Armenian side to present these activities as exercises of the so-called "armed forces" of Nagorny Karabakh — which are in fact the illegal armed groups of the separatist regime established by Armenia in the occupied territories of Azerbaijan — cannot deceive the world community.

Together with the intention to hold illegal elections in the occupied territories of Azerbaijan on 8 August 2004, the holding of such exercises is yet another provocation by the Armenian side.

These exercises are also exacerbating the atmosphere surrounding the proposed participation of Armenian representatives in the NATO Cooperative Best Effort 2004 exercises scheduled to be held in September this year in Azerbaijan.

The activities of the Armenian side, in addition to exacerbating the already complicated situation in the conflict area, significantly complicate preparations for the forthcoming round of negotiations between the Ministries of Foreign Affairs of Azerbaijan and Armenia.

The Ministry of Foreign Affairs draws the attention of the international community to the fact that the holding of these exercises is further clear evidence of the aggression being waged by the Republic of Armenia against the Republic of Azerbaijan and of the occupation of its territories.

The above-mentioned activities yet again prove the lack of will on the part of the Republic of Armenia to proceed to a rapid and peaceful settlement of the Armenian-Azerbaijani conflict on the basis of the norms and principles of international law and are indicative of the efforts of that country to use any means to consolidate the results of its military aggression.

Baku, 4 August 2004

United Nations A/59/212-S/2004/626*

General Assembly
Security Council

Distr.: General
17 August 2004

Original: English

General Assembly
Fifty-ninth session
Item 57 (n) of the provisional agenda**
Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Security Council
Fifty-ninth year

Identical letters dated 5 August 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the communiqué issued by the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 4 August 2004 regarding the military exercises conducted by the Armenian armed forces in the occupied territories of the Republic of Azerbaijan (see annex).

I should be grateful if the present letter and its annex were urgently distributed as a document of the General Assembly under item 57 (n) of the provisional agenda of its fifty-ninth session, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

* Reissued for technical reasons.
** A/59/150.

04-45194* (E) 180804

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Baku, 4 August 2004

United Nations A/59/213

General Assembly

Distr.: General
5 August 2004

Original: English

Fifty-ninth session
Item 116 of the provisional agenda*
Human resources management

Amendments to the Staff Rules

Report of the Secretary-General

Summary

Consistent with staff regulation 12.3, the present report contains the full text of new rules or amendments to existing rules that the Secretary-General proposes to implement as from 1 January 2005. The report also provides the rationale for those amendments.

The Secretary-General recommends that the General Assembly take note of the amendments to the Staff Rules set out in the annex to the present report.

* A/59/150.

04-45206 (E) 200804

1. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments should be reported annually to the General Assembly.

2. Unless otherwise indicated, the proposed amendments contained in the annex to the present report will be effective as from 1 January 2005. New or amended text appears in bold.

A. 100 series

3. Rule 106.2 (e), Sick leave during annual leave, is amended to clarify that sick leave during annual leave may only be approved if the period of sickness exceeds five consecutive working days.

4. Rule 107.1, Official travel of staff members, subparagraph (c), is amended to clarify that on separation the Organization will pay the travel expenses of a staff member to the place of home leave if the staff member has a probationary appointment or an appointment of two years or longer or has completed two years of continuous service.

5. Rule 110.4, Due process, subparagraph (d), is amended to reflect that matters pertaining to financial responsibility for gross negligence will be considered by a Joint Disciplinary Committee under rule 110.5, as amended, and to clarify that subsequent appeals shall be submitted directly to the United Nations Administrative Tribunal.

6. Rule 110.5, Joint Disciplinary Committees, is amended to include in the competence of the Joint Disciplinary Committee at Headquarters matters pertaining to financial responsibility for gross negligence.

7. Rule 110.6, Composition of Joint Disciplinary Committees, is amended to specify that when the advice of the Joint Disciplinary Committee at Headquarters is sought in a matter pertaining to financial responsibility for gross negligence, the level of the members constituting the panel should be at least the same as the level of the staff member whose financial responsibility may be engaged.

8. Rule 110.7, Joint Disciplinary Committee procedure, is amended to ensure consistency with rule 110.4, as amended, to implement the decision taken by the General Assembly in its resolution 57/307 of 15 April 2003, and to provide for participation of the Office of Legal Affairs, in an advisory capacity, in matters pertaining to financial responsibility for gross negligence.

B. 200 series

9. Rule 206.3, Sick leave, is amended in a new subparagraph (c) to permit the possibility of granting sick leave to project personnel when sickness of more than five consecutive working days occurs during annual leave; subsequent subparagraphs are renumbered.

C. 300 series

10. Rule 306.2, Sick leave, is amended in a new subparagraph (c) to permit the possibility of granting sick leave to staff members recruited for service of limited duration when sickness of more than five consecutive working days occurs during annual leave; subsequent paragraphs are renumbered.

11. **The Secretary-General recommends that the General Assembly take note of the amended Staff Rules set out in the annex.**

Annex

Text of amendments to the Staff Rules

A. 100 series

Rule 106.2

Sick leave

Sick leave during annual leave

(e) When sickness of **more than five consecutive working days** occurs while a staff member is on annual leave, including home leave, sick leave may be approved subject to appropriate medical certification.

Rule 107.1

Official travel of staff members

(c) Under subparagraph (a) (vi) above, the United Nations shall pay the travel expenses of a staff member to the place of recruitment. **However**, if the staff member had a probationary appointment or an appointment for a period of two years or longer or had completed not less than two years of continuous service, **the United Nations shall pay his or her travel expenses** to the place recognized as his or her home for the purpose of home leave under rule 105.3. Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the United Nations shall not exceed the maximum amount that would have been payable on the basis of return transportation to the place of recruitment or home leave, **as applicable**.

Rule 110.4

Due process

(d) An appeal in respect of a disciplinary measure considered by a Joint Disciplinary Committee pursuant to either paragraph (b) or (c), **or in respect of financial responsibility for gross negligence pursuant to rule 110.5 shall** be submitted directly to the United Nations Administrative Tribunal.

[Amendment scheduled to become effective on 1 August 2004]

Rule 110.5

Joint Disciplinary Committees

(c) **The Joint Disciplinary Committee at Headquarters shall also be available to advise the Secretary-General, at his request, in matters pertaining to financial responsibility for gross negligence.**

[Amendment scheduled to become effective on 1 August 2004]

Rule 110.6

Composition of Joint Disciplinary Committees

(i) When the advice of the Joint Disciplinary Committee at Headquarters is sought in a matter pertaining to financial responsibility for gross negligence, the level of the members constituting the panel shall be at least the same as the level of the staff member whose financial responsibility may be engaged.

[Amendment scheduled to become effective 1 August 2004]

Rule 110.7

Joint Disciplinary Committee procedure

(d) A Joint Disciplinary Committee shall permit a staff member to arrange to have his or her case presented before it by **counsel, at his or her own expense**, at the duty station where the Committee is established.

(e) A representative of the Office of Legal Affairs shall participate in an advisory capacity in the deliberations of the Joint Disciplinary Committee at Headquarters on an ex officio basis when that Committee's advice has been requested in a matter pertaining to financial responsibility for gross negligence.

[Amendment scheduled to become effective 1 August 2004]

B. 200 series

Rule 206.3

Sick leave

Sick leave during annual leave

(c) When sickness of more than five consecutive working days occurs while project personnel are on annual leave, including home leave, sick leave may be approved subject to appropriate medical certification.

C. 300 series

Rule 306.2

Sick leave

(c) When sickness of more than five consecutive working days occurs while staff members recruited for service of limited duration are on annual leave, sick leave may be approved subject to appropriate medical certification.